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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,441	04/20/2004	Masaaki Tanizaki	501.43771X00	2787
20457	7590	10/25/2005	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			ARTHUR JEANGLAUDE, GERTRUDE	
		ART UNIT		PAPER NUMBER
				3661

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/827,441	TANIZAKI ET AL.
	<b>Examiner</b> Gertrude Arthur-Jeanglaude	<b>Art Unit</b> 3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 August 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hayashida et al. (U.S. Patent No. 6,067,502).

As to claim 1, Hayashida et al. disclose a map information device comprising a storage unit (37) (See col. 9, lines 45-67) for map data recorded in a rectangular coordinate system; a route search unit (SP30 in Fig. 27) for searching for a route based on information on two geographical points (See Fig. 5.,) an area generator unit to set an area along the route between the two geographical points', and a map search unit (See Fig. 21) to search for and output the map data of the area, wherein the area generator unit establishes the area by adding corrections to correct a width (Fig. 15., changing the scale) of the area based on latitude values of the route (See Figs. 8, 15). (Also See Fig.13 for correction using latitude).

As to claim 2, Hayashida et al. disclose a map information device comprising a storage unit (37) for map data; a route search unit for searching for a route between two geographical points (See Fig.5',) an area generator unit to set an area along the

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route between the two geographical points', a processor unit (1) as shown in Fig.1 to simplify the figure of the area; and a map search unit (33) to search for and output the simplified area map data, wherein the processor unit reduces a number consisting the route from the nodes included in the area generated by the area generator (see col. 8, lines 32-62., Fig. 2, F3, F4); (also See col. 8, lines 45-62; Hayashida et al. disclose a processor 9; a number of nodes is reduced when the screen are divided).

As to claim 3, Hayashida et al. disclose a map information device connected to a terminal comprising a route search unit for searching for a route based on information for two geographical points from the terminal (See abstract', Fig. 1),, a route area predictor for predicting enroute stopping points along the route (See Fig.2); an area generator unit to set an area along the route between the two geographical points', and a map search unit (33) to search for and output the map data of the area, wherein the area generator unit establishes an expanded range for the area along the route in the vicinity of the enroute stopping points as the area (See Figs. 3, 37-40). Also see Figs. 47, 53.

As to claim 4, Hayashida et al. disclose a map information wherein the route area predictor establishes the enroute stopping points based on the predicted trip time schedule along the route (See col. 34, lines 51-67\*, col. 35, lines 1-8).

As to claim 5, Hayashida et al. disclose the route area predictor establishes

stopping points based on the remaining fuel value information received from the terminal (See col. 70, lines 54-67).

As to claim 6, Hayashida et al. disclose a map information device wherein the route area predictor establishes the enroute stopping points based on the specified rest break time period or a continuous driving time (See col. 69, lines 1-12., col. 70, lines 54-67).

As to claim 7, Hayashida et al. disclose a processor unit (1) as shown in Fig. 1 to simplify the route searched by the route search unit, wherein the processor unit reduces a number of node consisting of the line figure of the route and the map area generator unit sets an area based on a simplified line figure (See Figs. 2-3, 47, 53).

As to claim 8, Hayashida et al. disclose wherein the processor omits the nodes whose distance to next nodes are equal or less the predetermined value (See Fig.13).

As to claim 9, Hayashida et al. disclose a map information device comprising:  
a processor unit to simplify the line figure of the route searched by the route search unit, wherein the processor unit reduces a number of nodes included in the line figure of the route and the map area generator unit sets an area based on a simplified line figure (See Figs. 2-3).

As to claim 10, Hayashida et al. disclose a map information device wherein the

map search unit subdivides the area into multiple area units, and determines map data that intersects or is included in the areas by subdivided area unit (See Fig. 22).

As to claim 11, Hayashida et al. disclose the map search unit subdivides the area into multiple area units, and determines map data that intersects or is included the area by subdivided area units (See Fig. 22).

As to claim 12, Hayashida et al. disclose a map information device with the map data the area based on rectangular coordinates, wherein the area generator unit establishes the area by adding corrections to correct a width of the area based on latitude values of the route (See Fig. 13).

As to claim 13, Hayashida et al. disclose a map information device with the map data based on rectangular coordinates, wherein the area generator unit establishes the area by adding corrections to correct a width of the area based on latitude values of the route (See Fig. 13).

#### ***Response to Arguments***

Applicant's arguments filed 8/25/05 have been fully considered but they are not persuasive.

In response to Applicant's representative arguments on page 8, it states that In order to properly support a '102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not

adequately support a '102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed features/limitations of Applicant's claims as set forth in remarks from Applicant's foreign representative.

For claim 1, Applicant's representative argues that the Hayashida et al. does not disclose the limitations emphasis added "**an area generator unit to set an area along the route between the two geographical points; ... wherein the area generator unit establishes the area by adding corrections to correct a width of the area based on latitude values of the route.**" However it is discussed in the office action and pointed out that Hayashida et al. disclose the limitations as set forth taken into account Figures 4-5, having an area generator unit to set an area along the route between the two geographical points (start point, destination) and the area generator unit establishes the area by adding corrections to correct a width of the area based on latitude values of the route (See Fig.4; length data, shape data, and see Fig. 13 for calculating route based on latitude values of the route).

Furthermore, Applicant's representative argues that for claim 2, the prior art does not disclose the composition which simplifies the extraction area and the claim language states : emphasis added : **a processor unit to simplify the figure of the area; ... wherein the processor unit reduces a number of nodes consisting the route from the nodes included in the area generated by the area generator.** However it is pointed in the office action of such features. Hayashida et al. moreover, disclose a processor 1, 9 and a number of nodes is reduced when the screen is divided (See Fig. 3; col. 8, lines 45-62).

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In response to Applicant's representative argument regarding claim 3, it is argued that the prior art does not disclose "a route area predictor for predicting enroute stopping points along the route; an area generator unit to set an search area between the two geographical points; ... wherein the area generator unit expands a range for an area along the route in the vicinity of the enroute stopping points as the search area. However Hayashida et al. disclose the argued limitations in Figs. 2, 47, 53; col. 10, lines 1-54 (rest area or break)).

In response to Applicant's representative arguments regarding claim 4, that "Hayashida et al. don't disclose the route area predictor which establishes the enroute stopping points based on the predicted trip time schedule along the route" It is pointed out that Hayashida et al. disclose the route area predictor establishes the enroute stopping points (See col. 10, lines 55-67-col. 11, lines 1-44; col. 34, lines 51-67, time and distance traveled; col. 35, lines 1-8). Moreover, Hayashida et al. disclose as stated in the office action "the route predictor establishes the enroute stopping points based on the remaining fuel value information received from the terminal (or based on the specified rest break time period or a continuous driving time)" (See col. 70, lines 54-67).

Hayashida et al. disclose the limitations " the processor unit reduces a number of nodes consisting of the line figure of the route and the map area generator unit sets an area based on a simplified line figure (or omits the nodes whose distance to next nodes are equal or less than the predetermined value (See Figs.2-3, 13, 15, 36).

Arguments for the further claims have been discussed above and furthermore, Applicant's representative acknowledges in the background of the invention that map information is generally stored in rectangular coordinates on a recording medium.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Gertrude A. Jeanglaude*  
GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER

GAJ

*GAJ*

October 18, 2005